

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – January 17, 2013
City Hall, Common Council Committee Room 301-A

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 – 52, 54 - 74*)

Members: Henry P. Szymanski (*voting on items 1 - 74*)
Donald Jackson (*voting on items 1 - 74*)
Martin E. Kohler (*voting on items 1 – 52, 54 – 70, 72 - 74*)
Jose L. Dominguez (*voting on items 1 - 55*)

Alt. Board Members: Leni M. Siker (*voting on items 53, 57 - 74*)

START TIME: 4:12 p.m.

End Time: 8:27 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	32158 Special Use	Gregory R Johnson Lessee Request to occupy the premises as an assembly hall.	2053 N. Martin L King Jr Dr. A/K/A 311 W. Lloyd St. 6th Dist.
Action:		Dismissed	
Motion:		Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
Vote:		4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
Conditions of Approval:		--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	31853 Special Use	7505 West Bradley Road LLC Property Owner Request to occupy a portion of the premises as a day care center for 99 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - 1:00 a.m.	7429 W. Bradley Rd. A/K/A 7431 W. Bradley Rd. 9th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
3	32108 Special Use	Jermaine Young Lessee Request to occupy a portion of the premises as a day care center for 40 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 11:00 p.m.	4701 W. Lisbon Av. A/K/A 4701 W. north Av. 15th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
4	32257 Dimensional Variance	Jock & Linda Mutschler Property Owner Request to add allow two principal building on the premises (adding a kitchen to the existing garage).	3245 N. Lake Dr. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	32231 Special Use	Rob Settecase MMX LLC;Lessee Request to continue occupying the premises as a second-hand sales facility.	1709 N. Farwell Av. A/K/A 1701 N. Farwell Av. 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	32202 Special Use	Milwaukee Institute of Art & Design Inc. (MIAD) Property Owner	143 N. Broadway . A/K/A 143 N. Broadway . 3 4th Dist.
		Request to continue occupying a portion of the premises as a dormitory for 14 students.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services.</p> <p>5. That persons residing in the dormitory not have access to the roof of the building.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	32254 Special Use	Genesis Behavioral Services, Inc. Lessee Request to continue occupying a portion of the premises as a social service facility.	230 W. Wells St. 312 A/K/A 808 N. Old World Third St. 625 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	32166 Special Use	Genesis Behavioral Services, Inc. Lessee Request to continue occupying the premises as a transitional living facility for 4 occupants.	3296 N. 13th St. A/K/A 3298 N. 13th St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	32167 Use Variance	Genesis Behavioral Services, Inc. Lessee Request to continue occupying the premises as a transitional living facility for 4 occupants.	3916 N. 17th St. A/K/A 3918 N. 17th St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>6. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</p>	
10	32264 Special Use	Andrew Neumann Property Owner Request to construct an addition to the existing school and to increase the number of students from 350 to 600 K4 - 8th grades for the school operating Monday - Friday 7:00 a.m. - 7:00 p.m.	3601 N. Port Washington Av. A/K/A 3609 N. Port Washington Av. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	32168 Special Use	Genesis Behavioral Services, Inc. Lessee Request to continue occupying the premises as a transitional living facility for 4 occupants.	2523 A N. Buffum St. A/K/A 2523 N. Buffum St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	32197 Special Use	Talmah Flowers Lessee Request to continue occupying the premises as a 24 hour day care center for 22 children per shift infant to 12 years of age, operating Monday - Sunday.	2979 N. Palmer St. A/K/A 137 E. Chambers St. 6th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional occupancies and complies with all zoning conditions and building code requirements. 9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	32204 Special Use	Emilia Nunez Lessee Request to continue occupying the premises as a 24 hour day care center for 8 children per shift infant to 12 years of age, operating Monday - Sunday.	2118 N. Buffum St. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	32279 Special Use	Kulwant Dhillon Kool Petroleum Inc.;Property Owner	3474 N. Holton St. 6th Dist.
		Request to raze the existing structure and construct a motor vehicle filling station (applicant will be combining two adjacent lots, 519 E. Keefe & a portion of 531 E. Keefe).	
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner agrees to work with the Department of City Development Planning Administration staff on final resolution of design issues including, but not limited to site plans, facade & elevation plans, landscape plans and glazing plans. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits.</p> <p>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises</p> <p>8. That landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>9. That the certified survey map combining these parcels is approved by the common council.</p> <p>10. That employee parking is provided either immediately adjacent to the property or on the property.</p> <p>11. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, the planting of trees, shrubs and other plant materials and the construction of driveway approaches.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12.		That the curbs shown projecting into E Keefe Ave stop at the property line.	
13.		That the planting bed on N Holton St must not project beyond the property line.	
14.		That the applicant does not have outdoor storage or display of products or merchandise.	
15.		That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
16.		That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Mercantile - M occupancies and complies with all zoning conditions and building code requirements prior to occupancy.	
17.		That this Special Use is granted for a period of time commencing with the date hereof, and expiring on September 11, 2022.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	32147 Use Variance	Ibrahim Mahmoud Property Owner Request to continue occupying the premises as a motor vehicle repair facility.	5040 W. Fond Du Lac Av. A/K/A 4030 N. 51st Bl. 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That all installation work occur inside the building. 6. That any testing of audio equipment and alarm systems must be conducted inside the building with overhead doors closed and at minimum amplification. 7. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 9. That no work or storage of vehicles occurs in the public right-of-way. 10. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That all repair work is conducted inside the building. 13. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	32219 Special Use	Investing In You, Inc. Nequilia Earnest; Lessee Request to continue occupying the premises as a group home for 5 occupants. Action: Granted 5 yrs. Motion: Martin Kohler moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	4532 N. 44th St. 7th Dist.
17	32165 Dimensional Variance	Journey House Lessee Request to erect a fence that exceeds the maximum allowed height (allowed 6 ft. / proposed 8 ft.). Action: Granted Motion: Martin Kohler moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land.	524 S. Layton Bl. A/K/A 2200 W. Pierce St. 8th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	32250 Special Use	Victor Colon Jr Lessee Request to continue occupying the premises as a general retail establishment.	1201 S. 33rd St. A/K/A 1203 S. 33rd St. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises</p> <p>6. That no additional signage may be erected on the site unless it meets the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</p> <p>7. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner.</p> <p>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	32157 Dimensional Variance	John Lucas Property Owner Request to allow a detached garage that does not meet the minimum required front setback (required 120 ft. / proposed 60 ft.).	6929 N. 44th St. 9th Dist.
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtain all required permits for garage construction within 30 days of the Board's decision. 5. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	32194 Special Use	<p>Clarence Jenkins Property Owner</p> <p>Request to construct an addition and continue occupying the premises as a social service facility, health clinic, and second-hand sales facility.</p> <p>Action: Granted 5 yrs.</p> <p>Motion: Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the applicant does not have outdoor storage or display of products or merchandise. 6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-3 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	<p>9505 W. Brown Deer Rd. A/K/A 9435 W. Brown Deer Rd. 9th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	32209 Special Use	Mr. Vipin Dutta Family Mart, LLC; Lessee Request to continue occupying the premises as a motor vehicle filling station.	10501 W. Brown Deer Rd. A/K/A 10505 W. Brown Deer Rd. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-805 of the Milwaukee Zoning Code. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises 8. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 9. That landscaping and screening is maintained in a manner that meets the intent of city code. 10. That the applicant does not have outdoor storage or display of products or merchandise. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	32272 Dimensional Variance	David Herbeck Prospective Buyer Request to construct a general retail establishment that does not meet the minimum required front setback (required 34 ft. / proposed 25 ft.).	6574 N. 76th St. 9th Dist.
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That landscaping and screening in accordance to a landscape plan that is approved by Department of City Development Planning Administration staff is installed within 90 days of occupancy and is maintained in a manner that meets the intent of city code.</p> <p>6. That the petitioner agrees to work with the Department of City Development Planning Administration staff on final resolution of design issues including, but not limited to site plans, facade & elevation plans, landscape plans and glazing plans. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits.</p> <p>7. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, the planting of trees, shrubs and other plant materials.</p> <p>8. That the concrete curbs shown projecting into N 76th St terminate at the property line.</p> <p>9. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>11. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Mercantile M occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>12. That this Variance is granted to run with the land.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	32169 Special Use	Vital Voices for Mental Health Sue Clark, Executive Director; Request to continue occupying the premises as a social service facility.	912 N. Hawley Rd. A/K/A 970 N. Hawley Rd. 10th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business - B occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof.	
24	32179 Use Variance	Archdiocese of Milwaukee Office of Finance Lessee Request to allow 4 banners signs attached to the premises.	135 N. 76th St. 10th Dist.
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	32236 Special Use	Ripton Stewart Property Owner Request to continue occupying the premises as a religious assembly hall.	5418 W. Burleigh St. A/K/A 5412 W. Burleigh St. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	32237 Special Use	Ripton Stewart Property Owner Request to continue occupying the premises as a parking lot.	5506 W. Burleigh St. A/K/A 5508 W. Burleigh St. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on May 24, 2004.</p> <p>5. That the petitioner shall be responsible for continuous landscape maintenance including plant material replacement on a seasonal basis if such material is no longer comparable in size to the plant list specification, and inconsistent with the typical form/shape of that species because of dieback, stunting or damage.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	32225 Special Use	Jeffrey Ligman Lessee Request to occupy a portion of the premises as a health clinic.	5757 W. Oklahoma Av. 201 A/K/A 5757 W. Oklahoma Av. 103 11th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	32258 Special Use	Mauricio Herrera Lessee Request to continue occupying the premises as a motor vehicle sales facility (this is a new operator).	4440 W. Forest Home Av. A/K/A 4435 W. Oklahoma Av. 11th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the the petitioner implement landscaping improvements in accordance with the landscape plan submitted to the BOZA on 7/27/06. Specifically that the petitioner plant additional trees and shrubs and replace dying shrubs in order to be in compliance with the landscape plan. Landscape improvements must be implemented by June 1, 2013. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That no sales vehicles are displayed in the public right-of-way. 7. That no work or storage of vehicles occurs in the public right-of-way. 8. That driveway approaches are not blocked by used vehicles (please note that blocked driveway approaches are considered unused driveway approaches). 9. That unused driveways be removed and restored to City of Milwaukee specifications. 10. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That all repair work is conducted inside the building. 13. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	32212 Special Use	Aida Molina Lessee Request to increase the number of children from 50 to 80 per shift infant to 12 years of age, and continue occupying the premises as a day care center operating Monday - Friday 6:00 a.m. - 8:00 p.m. (this is a new operator).	611 W. National Av. A/K/A 611 W. National Av. 301 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 8. That a loading zone be obtained and maintained on West National Avenue. 9. That the petitioner obtains a new occupancy certificate to account for the increased number of children by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 10. That the facility does not exceed a capacity of 80 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 80 children. 11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	32207 Special Use	Milwaukee Christian Center, Inc. Property Owner Request to continue occupying the premises as a community center (this is a new operator).	807 S. 14th St. A/K/A 807 S. 14th St. 1 12th Dist.
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on August 10, 2018. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	32211 Special Use	Filiberto Ruiz Property Owner Request to continue occupying the premises as a motor vehicle repair facility.	1438 S. 6th St. A/K/A 534 W. Orchard St. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the garage door located on Orchard St. only open and close to permit cars to enter and exit. 6. That the applicant adheres to operating between 7:00 a.m. and 8:00 p.m. 7. That no work or storage of vehicles occurs in the public right-of-way. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That all repair work is conducted inside the building. 11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	32214 Special Use	Teresa Perez Sosa Lessee Request to occupy the premises as a second hand sales facility.	1406 W. Mitchell St. A/K/A 1404 W. Mitchell St. 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	32224 Special Use	Richard K Prostek Sr. Property Owner	4325 S. Howell Av. 13th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility.	
	Action:	Granted 15 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That no work or storage of vehicles occurs in the public right-of-way. 6. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That all repair work is conducted inside the building. 9. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	32097 Special Use	Martha Cooper Property Owner Request to construct an attached garage and continue occupying the premises as a religious assembly hall.	2800 W. Center St. A/K/A 2802 W. Center St. 15th Dist.
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on June 17, 2019. 	
35	32126 Dimensional Variance	Tom Sprague Milwaukee College Prep;Property Owner Request to erect three wall signs that exceed the maximum number allowed per principal building (allowed 1 / proposed 4).	1228 W. Lloyd St. 15th Dist.
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	32176 Use Variance	Dorenda Heflin Lessee	3800 W. Vliet St. 15th Dist.
		Request to occupy the premises as a 24 hour day care center for 25 children per shift infant to 12 years of age, operating Monday - Sunday.	
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use 8. That the windows along the W. Vliet St and N. 38th St. frontages be restored to transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 10. That the facility does not exceed a capacity of 25 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 25 children. 11. That this Varinace is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	32123 Special Use	Lincoln E Russell Sr. Property Owner Request to continue occupying the premises as a religious assembly hall.	2025 W. Hampton Av. A/K/A 2033 W. Hampton Av. 1st Dist.
	Action:	Granted 15 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-3 occupancies and complies with all zoning conditions and building code requirements.</p> <p>7. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof.</p>	
38	32199 Special Use	Imani Early Childhood Education Center Ronald Tate & Yvonne Ali;Lessee Request to occupy a portion of the premises as a day care center for 80 children per shift 3 - 12 years of age, operating Monday - Friday 6:00 a.m. to 8:00 p.m..	5249 N. 35th St. A/K/A 5249 N. 35th St. 102 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	32226 Special Use	Clifford Weddle Charlie Weddle;Lessee Request to continue occupying the premises as an indoor salvage operation.	4030 W. Douglas Av. A/K/A 4070 W. Douglas Av. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on September 4, 2002 5. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 7. That all salvage work is conducted inside the building. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	32228 Dimensional Variance	Silver Mill Mgm. Co., LLC David Cunningham;Property Owner Request to erect signs that exceed the maximum number of signs allowed per 25 ft. segment.	6201 N. Teutonia Av. A/K/A 6231 N. Teutonia Av. 1st Dist.
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	32249 Special Use	Ernie M. Oby Word of Grace Fellowship, Inc.;Property Owner Request to continue occupying the premises as a religious assembly hall.	4949 W. Villard Av. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner.</p> <p>6. That landscaping and screening in accordance to the plan submitted to the Board on May 17, 2010 is maintained in a manner that meets the intent of city code.</p> <p>7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-3 occupancies and complies with all zoning conditions and building code requirements.</p> <p>8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	32251 Special Use/ Dimensional Variance	Steven L Tipton Property Owner Request to continue occupying the premises as a motor vehicle sales facility and ground transportation service that does not meet the minimum required landscaping.	2620 W. Silver Spring Dr. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on September 30, 2010.</p> <p>5. That no sales vehicles are displayed in the public right-of-way.</p> <p>6. That these Special Uses and this Variance are granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	32222 Special Use	Kim Lewis Lessee Request to continue occupying a portion of the premises as a motor vehicle repair facility.	9712 W. Flagg Av. A/K/A 9638 W. Flagg Av. 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside the building. 6. That no vehicles may be parked over any portion of the paved public sidewalk. 7. That no work or storage of vehicles occurs in the public right-of-way. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	32159 Dimensional Variance	Richard Mitchell Property Owner Request to allow a monument sign that exceeds the maximum allowed display area (allowed 35 sqft. / proposed 60 sqft.) and continue occupying the premises as a permitted parking lot that does not meet the minimum required landscaping.	740 N. Plankinton Av. A/K/A 740 N. Plankinton Av. 734 4th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That within 60 days of Board approval of the Variances, the petitioner must meet with the Zoning Administration Group to create a landscape and screening plan. Specifically, the plan shall feature enhanced landscaping along the base of the monument sign. The petitioner must then submit a landscape plan to the Alderman's office and the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits.</p> <p>6. That These Variances are granted to run with the land.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	32198 Special Use	S.R. Mills Property Owner Request to occupy the premises a multi-family dwelling.	700 W. Michigan St. A/K/A 700 W. Michigan St. 500 4th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant provides an area for bicycle parking within the parking garage for its tenants. 5. That the driveway approach on Michigan Street be removed and restored to City of Milwaukee specifications. 6. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, occupying the public sidewalk when building facade work is performed and removing the driveway approach on Michigan Street. 7. That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the moveable planters shown in the rendering to occupy the public right-of-way. 8. That the petitioner submits plans prepared by an architect for the conversion of this building, obtains all required permits and obtains a final occupancy certificate by having all required inspections, complies with current State commercial building code for Residential R-2 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That this Special Use is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	32256 Use Variance	<p>Wisconsin Conservatory of Music Property Owner</p> <p>Request to occupy the premises as a day care center for 16 children per shift 3 to 4 years of age, operating Monday - Friday 9:15 a.m. to 12:00 p.m. .</p>	1584 N. Prospect Av. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.</p> <p>5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Educational E occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>7. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	32263 Special Use	252, LLC General Capital Group;Property Owner Request to raze the existing structure and construct a dormitory for 308 occupants.	252 E. Menomonee St. A/K/A 254 E. Menomonee St. 4th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That unused driveways be removed and restored to City of Milwaukee specifications. 7. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, excavating for the building foundation; occupying the public sidewalk; installing bike racks; and removing or installing driveway approaches. 8. That the petitioner submits plans prepared by an architect for the construction of this building, obtains all required permits and obtains a final occupancy certificate by having all required inspections, complies with current State commercial building code for Residential R-2 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	31964 Special Use	Kabir Hussain Aiman Food Inc.;Property Owner Request to continue occupying the premises as a motor vehicle filling station.	9109 W. Burleigh St. A/K/A 9101 W. Burleigh St. 5th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That landscaping and screening is maintained in a manner that meets the intent of city code. 7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 8. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 9. That the applicant does not have outdoor storage or display of products or merchandise. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That a Department of Public Works (DPW) permit is obtained for paving along the public right-of-way. 12. That site maintenance, including painting of the property and landscape plantings, be completed by June 30, 2013. 13. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	32124 Special Use	Saleem & Olivia El-Amin New Horizon Day Care Center LLC;Lessee Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - midnight and to continue occupying the premises as a day care center for 85 children per shift infant to 12 years of age operating Monday - Friday.	7918 W. Capitol Dr. 5th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the alderman of the district and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	31834 Special Use/ Dimensional Variance	Jeji Family Inc. Property Owner Request to allow a roof sign that exceeds the maximum allowed display area (allowed 32 sq.ft. / proposed 134 sq.ft.), a wall sign that exceeds the maximum allowed display area (64 sq.ft. / proposed 126 sq.ft.) and to continue occupying the premises as a motor vehicle filling station, sales and repair facility.	8712 W. Lisbon Av. 5th Dist.
	Action:	Denied 10 yrs.	
	Motion:	Henry Szymanski moved to grant the Special Use requests. Seconded by Donald Jackson. Donald Jackson moved to deny the Variance requests. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code 6. That the existing landscaping along the N. 87th St frontage is maintained. 7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 9. That the unused driveway on North 87th Street be removed and restored to City of Milwaukee specifications. 10. That cars must not be parked such that they block the driveways. 11. That no work or storage of vehicles occurs in the public right-of-way. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
		12. That no sales vehicles are displayed in the public right-of-way.	
		13. That the applicant does not have outdoor storage or display of products or merchandise.	
		14. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.	
		15. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.	
		16. That all repair work is conducted inside the building.	
		17. That the petitioner complies with DNS orders #9845601, #9426261 and #9347911 within 30 days of the Board's decision.	
		18. That these Variances are denied.	
		19. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof.	
51	32242 Special Use	Melissa Frechette Lessee Request to occupy the premises as a tavern.	642 W. Garfield Av. A/K/A 642 A W. Garfield Av. 6th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	32221 Special Use	Haji LLC Mohammed Saleem; Lessee Request to occupy the premises as a fast-food / carry-out restaurant.	2860 N. Holton St. A/K/A 2864 N. Holton St. 6th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That a new signage plan that meets the signage standards of s.295-605 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals within 60 days of Board approval of the special use and approved by the Zoning Administration Group prior to the issuance of any permits. Specifically the revised sign plan should reduce the height of the freestanding sign to a maximum height of 14 feet and may require a reduction in sign area to 32 square feet.</p> <p>6. That a landscape plan is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. The plan must expand the existing planter box currently located along the N. Holton St frontage</p> <p>7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-2 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>9. That this Special Use is granted for a period of one (1) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	31830 Special Use	Blanche Williams Bright Star Learning Center;Lessee Request to occupy the premises as a 24 hour day care center for 75 children per shift infant to 12 years of age, operating Monday - Sunday.	4248 W. Fond Du Lac Av. A/K/A 4240 W. Fond Du Lac Av. 3 7th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	32085 Special Use	Nejia Nolden Property Owner	4644 N. 53rd St. 7th Dist.
		Request to occupy the premises as a 24 hour day care center for 8 children per shift infant to 13 years of age, operating Monday - Sunday.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there be no signage associated with the day care facility 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit an updated copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That parents using the driveway are not permitted to block the public sidewalk while picking up or dropping off children. 8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	32175 Special Use	Gerald Mutza Property Owner	2617 S. 31st St. 8th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility (this is a new operator).	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all vehicles remain indoors overnight 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That no work or storage of vehicles occurs in the public right-of-way. 7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That all repair work is conducted inside the building. 10. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	32193 Special Use	Corbo Andres Florez Arzilo;Property Owner Request to construct a principal use parking lot on the premises.	1019 S. 24th St. A/K/A 1007 S. 24th St. 8th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
57	32217 Special Use	Choice One Financial Services LLC Prospective Buyer Request to add a cash-for-gold business to the existing Board approved currency exchange and pay day loan facility.	2000 W. Forest Home Av. A/K/A 2000 W. Becher St. 8th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
58	32102 Special Use	All Night Child Care, Inc. Lessee Request to increase the hours of operation from Monday - Friday 6:00 a.m. - midnight to 24 hours Monday - Sunday and to continue occupying the premises as a day care center for 39 children per shift infant to 12 years of age.	8225 N. 107th St. A/K/A 8225 N. 107th St. 1 9th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	32229 Special Use	Lakisha H King Lessee Request to occupy a portion of the premises as an adult day care center for 21 clients.	8048 N. 76th St. A/K/A 8064 N. 76th St. 9th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the applicant provide an ADA accessible route from the parking lot to the facility entrance, if one does not already exist. 6. That the petitioner submit a copy of the State of Wisconsin adult day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	32094 Special Use	Michael Daramanu Lessee Request to add a motor vehicle sales facility to the existing Board approved repair facility.	5638 W. Appleton Av. 10th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the decorative metal fence is maintained in a manner that meets the intent of city code. 5. That signage plans meeting the signage standards of 295-407 and s295-605 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals within 60 days of Board approval of the special use and approved by the Zoning Administration Group prior to the issuance of any permits. 6. That all repair work is conducted inside the building. 7. That no work or storage of vehicles occurs in the public right-of-way. 8. That no sales vehicles are displayed in the public right-of-way. 9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That the applicant comply with DNS order #9956711 within 30 days of Board approval. 12. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on February 28, 2015. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	32116 Dimensional Variance	St. Vincent Palloti Congregation Property Owner Request to divide the existing lot and to allow a new lot that does not meet the minimum required lot area.	174 N. 77th St. A/K/A 174 A N. 77th St. 10th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. The petitioner shall provide evidence that the entire West garage wall maintains a minimum fire rating of 3/4 hour, and a 3 ft section of the North and South walls of the garage originating from the West wall of the structure, also maintain a minimum of a 3/4 hour fire rating.</p> <p>5. That this Variance is granted to run with the land.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
62	32129 Special Use	Violet Wilkerson Lessee Request to occupy a portion of the premises as a second-hand sales facility.	5836 W. Blue Mound Rd. A/K/A 5834 W. Blue Mound Rd. 1 10th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the storefront windows remain as transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>5. That the petitioner work with Department of City Development - Planning Administration staff on an acceptable facade and signage plan, and that such plans are approved by the department prior to the issuance of any permits</p> <p>6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>7. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>9. That the petitioner takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel.</p> <p>10. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	32178 Special Use	<p>Resurrection Power Ministries Property Owner</p> <p>Request to add a day care center for 50 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m. to the existing Board approved religious assembly hall.</p>	<p>5330 W. Lisbon Av. A/K/A 5336 W. Lisbon Av. 10th Dist.</p>
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That any signage for the day care center must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</p> <p>5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hrs/ day.</p> <p>6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.</p> <p>7. That the outdoor play area is not utilized before 9:00 A.M.</p> <p>8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Educational E occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>9. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on July 30, 2022.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
64	32153 Special Use	<p>Waldemar Rivera Property Owner</p> <p>Request to add a ground transportation service to the existing Board approved motor vehicle repair facility.</p> <p>Action: Granted</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on March 6, 2006. 5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 7. That all repair work is conducted inside of the building. 8. That no work or storage of vehicles occurs in the public right-of-way. 9. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on June 14, 2022. 	<p>630 W. National Av. A/K/A 636 W. National Av. 12th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	32206 Use Variance	Eduardo Diaz Lessee Request to occupy a portion of the premises as a cash-for-gold business.	1515 W. Lincoln Av. 12th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at ther request of staff and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
66	32216 Special Use	RD Expedited, Inc. Prospective Buyer Request to occupy the premises as a truck freight terminal and motor vehicle repair facility.	1101 W. Grange Av. A/K/A 1121 W. Grange Av. 13th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
67	32235 Special Use	Inter-Active Playground, LLC Rodney B. Lynk, Sr. & De Anna P. Lynk;Lessee Request to occupy the premises as an indoor recreation facility and second-hand sales facility.	4030 S. Howell Av. 13th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
68	32205 Special Use	Amrit P Kaur Property Owner	3725 S. Howell Av. 13th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>6. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises</p> <p>7. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>8. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>10. That the applicant takes all necessary measures to ensure that the car wash is operating per manufacturer installation, in an effort to mitigate excess noise from its operation.</p> <p>11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
69	32008 Special Use	Denita Sublett Property Owner Request to increase the number of children from 47 to 65 per shift and to continue occupying the premises as a day care center for children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 5:30 p.m.	934 W. Center St. A/K/A 936 W. Center St. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 8. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That the petitioner obtains a new occupancy certificate to account for the increased number of children by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 10. That the facility does not exceed a capacity of 65 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 65 children. 11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	32091 Special Use	Bernadette Anderson Other Request to occupy the premises as a transitional living facility for 8 occupants.	4718 W. Garfield Av. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
71	32223 Special Use	Eric Broxton Property Owner Request to occupy the premises as an indoor salvage operation.	2500 W. Cornell St. A/K/A 2600 W. Cornell St. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That a Special Privilege Amendment be obtained from the City of Milwaukee Common Council to allow trucks parked at the loading docks to occupy the public right-of-way. 6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Factory F-1 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 7. That no more than 5 vehicles be staged outdoor awaiting fluid removal at any given time and that the vehicles do not remain outdoors for more than 48 hours. 8. That the collection and storage of all flammable and combustible liquids comply with SPS 310. 9. That the applicant provide proper storage and disposal of batteries removed from salvaged vehicles. 10. That a landscape plan is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
72	32240 Special Use	James Carter Lessee Request to occupy a portion of the premises as a religious assembly hall.	5268 N. 35th St. A/K/A 5266 N. 35th St. 1st Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
73	32149 Special Use	Valerie Lewis Lessee Request to occupy the premises as a day care center for 30 children per shift 2 - 12 years of age, operating Monday - Friday 6:00 a.m. - midnight and Saturday 9:00 a.m. - 5:00 p.m.	7212 W. Fond Du Lac Av. A/K/A 7212 W. Fond Du Lac Av. 2 2nd Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
74	32201 Special Use	Anchorage Home Adult Day Center Lurean L. Nelson Slocum;Property Owner Request to occupy a portion of the premises as an adult day care center for 50 clients.	6435 W. Capitol Dr. A/K/A 6427 W. Capitol Dr. 2nd Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
---------------------------	--------------------------------------	--------------------	------------------------------------

Other Business:

Board member Donald Jackson moved to approve the minutes of the December 13, 2012 meeting. Seconded by Board member Martin Kohler. Unanimously approved.

The Board set the next meeting for February 21, 2013.

Board member Henry Szymanski moved to adjourn the meeting at 8:27 p.m.. Seconded by Board member Donald Jackson. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
---------------------------	--------------------------------------	--------------------	------------------------------------